Case 11-36448-rld7 Doc 6 Filed 07/30/11

United States Bankruptcy Court District of Oregon

In re: Martha Ann McLain Debtor Case No. 11-36448-rld Chapter 7

CERTIFICATE OF NOTICE

District/off: 0979-3 User: lew Page 1 of 1 Date Rcvd: Jul 28, 2011 Form ID: B9A Total Noticed: 20

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2011. PO Box 3142, 0 21028 Hwy 99E NE, Clackamas, OR 97015-3142 db +Martha Ann McLain, +BRENDAN ENRIGHT, Aurora, OR 97002-9213 aty Attn: Bankruptcy Unit, +Dept of Justice, smq Division of Child Support, POB 14670. Salem, OR 97309-5013 +US Attorney, US Attorney, 1000 SW 3rd Ave #600, Portland, OR 97204-2936 smg +US Attorney General, Department of Justice, 10th & Constitution NW, Washington, DC 20530-0001 99439216 3000 Corporate Exchange Dr 5th flr, +Allied Interstate, Columbus, OH 43231-7723 4520 SE Belmont #280, Portland, OR 97215-1668 99439218 +Asset System, 10790 Rancho Bernardo Rd, San Diego, CA 92127-5705 99439222 +Chase. 8014 Bayberry Rd, 99439223 +Enhanced Recovery Co L, Jacksonville, FL 32256-7412 +Mct Group, Po Box 7748, Torrance, CA 90504-9148 99439224 250 N Canyons Pkwy, Livermore, CA 94551-9470 99439225 +Operating Engineers Lo, Oklahoma City, OK 73124-0610 99439226 +Vericrest, Po Box 24610, Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center +EDI: QPCMCKITTRICK.COM Jul 29 2011 00:48:00 Peter C McKittrick, 13607 NW Cornell Rd PMB 229, Portland, OR 97229-5823 +EDI: ORREV.COM Jul 29 2011 00:48:00 ODR Bkcy, 955 Center NE #353, Salem, OR 97301-2553 sma +E-mail/Text: ustpregion18.pl.ecf@usdoj.gov Jul 29 2011 01:56:37 US Trustee, Portland, ust 620 SW Main St #213, Portland, OR 97205-3026 99439215 +EDI: ALLIANCEONE.COM Jul 29 2011 00:48:00 Allianceone. 1684 Woodlands Dr Ste 15. Maumee, OH 43537-4093 +Fax: 800-506-0586 Jul 29 2011 01:36:22 99439217 Amerifirst Home Improvement Fin, 4405 S 96th St, Omaha, NE 68127-1210 99439219 +E-mail/Text: banko@bonncoll.com Jul 29 2011 01:23:07 Bonneville Billing, 1186 E 4600 S Ste 100, Ogden, UT 84403-4896 99439220 +E-mail/Text: banko@bonncoll.com Jul 29 2011 01:23:07 Bonneville Collections, POB 150621, Ogden, UT 84415-0621 99439221 EDI: CAPITALONE.COM Jul 29 2011 00:48:00 Capital One, POB 30285, Salt Lake City, UT 84130-0285 TOTAL: 8 ***** BYPASSED RECIPIENTS ***** NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2011 Signature:

Joseph Spections

UNITED STATES BANKRUPTCY COURT District of Oregon

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, Deadlines, *Proposed Case Dismissal*, and Trustee Appointment

U.S. BANKRUPTCY COURT DISTRICT OF OREGON FILED

July 28, 2011

Clerk, U.S. Bankruptcy Court

BY lew DEPUTY

A Chapter 7 bankruptcy case concerning the debtor(s) named below was **FILED ON 7/28/11**. You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office.

SEE REVERSE SIDE FOR IMPORTANT EXPLANATIONS

Debtor(s) (name(s) and address):

Martha Ann McLain

PO Box 3142 Clackamas, OR 97015 Case Number: <u>11-36448-rld7</u>

Last four digits of Social–Security or Individual Taxpayer–ID(ITIN) No(s)./Complete EIN: xxx–xx–3763

Debtor(s) Attorney:

BRENDAN ENRIGHT 21028 Hwy 99E NE Aurora, OR 97002

Telephone No.: (503) 678-5275

Trustee:

Peter C McKittrick 13607 NW Cornell Rd PMB 229 Portland, OR 97229 Telephone No.: (503) 616–4979

Meeting of Creditors

8/31/11 at 03:30 PM in US Trustee's Office, 620 SW Main St Rm 223, Portland, OR 97205

(Note: NOT at Multnomah County Courthouse!)

Presumption of Abuse under 11 USC §707(b) (See "Presumption of Abuse" on the reverse side)

The presumption of abuse does not arise.

Deadlines – Documents must be received by the bankruptcy clerk's office by the following deadlines:

Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 10/31/11 Deadline to Object to Exemptions: 30 days after the conclusion of the Meeting of Creditors. Deadline to File a Motion to Not Enter Discharge Per 11 USC §727(a)(12) Applicability: 10/31/11.

Creditors May Not Take Certain Actions

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Notices Re Proposed Dismissal of Case/Undue Hardship Presumption; and Abandonment of Debtor's Residence (Real Property)

YOU ARE NOTIFIED: (1) This case may be dismissed without further notice if the debtor(s) fail to complete the Meeting of Creditors, timely file any documents, or make fee payments ordered by the court, unless within 21 days of the above "FILED" date a party in interest files a written objection to dismissal, setting forth specific grounds, with the Clerk of Court and sends copies to the debtor's attorney (or debtor if pro se) and trustee [Important: Unless you receive an Order of Dismissal from this court, this case is active!]; and (2) Any presumption of undue hardship that may exist in a reaffirmation agreement filed by the debtor(s) shall remain in effect until the effective date of any discharge order entered in this case unless a party of interest objects by 9/20/11.

YOU ARE FURTHER NOTIFIED that at least 5 days prior to the date of the meeting of creditors, any party in interest who objects to abandonment of the debtor's residence (real property) must file with the clerk of the court a written objection and serve a copy on the debtor and debtor's attorney. If no timely objection is filed, the trustee can abandon the property at or after the meeting of creditors upon request of the debtor or mortgage creditor without any further notice requirement. Mortgage creditors are authorized to negotiate a loan modification with a debtor either before or after the meeting of creditors, but any modification reached cannot become effective until the property is abandoned. Mortgage creditors may use the procedure outlined in LBF #751.7, available at www.orb.uscourts.gov, to obtain such abandonment. A creditor's contact with debtor and/or debtor's attorney to effect a modification shall not be considered a violation of the automatic stay of 11 USC §362. Negotiations with represented debtors must be with debtor's counsel who may consent to the creditor communicating directly with the debtor.

Creditor with a Foreign Address

Please read the information under "Do Not File A Proof of Claim at This Time" on the reverse side.

Trustee Appointment

The trustee named above is hereby appointed as interim trustee in this case. Such trustee's bond shall be the blanket bond heretofore approved and filed with the U.S. Bankruptcy Court Clerk.

UNITED STATES TRUSTEE

DO NOT FILE A PROOF OF CLAIM UNLESS YOU RECEIVE A NOTICE TO DO SO!

Case 11-36448-rld7 Doc 6 Filed 07/30/11 **EXPLANATIONS**

Filing of Chapter 7 A bankruptcy case under Chapter 7 of the Bankruptcy Code (Title 11, United States Code) has been filed in this Bankruptcy Case court by the debtor(s) named on the front side, and an order for relief has been entered.
banking beginning the debtor(5) harmed on the nont side, and an order for feller has been entered.
Relief from Stay Requests for NON–judicial relief from the stay of Bankruptcy Code §362(a), limiting actions to recover debtor's property, must comply with Local Form #715. Requests for judicial relief must comply with Local Form #720.50.
Creditors May Not Take Certain Actions Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions included contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under §707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
The Meeting of Creditors is scheduled for the date, time and location listed on the front side. The DEBTOR (both husband and wife in a joint case) <i>must be present at the meeting to be questioned under oath by the trustee and by creditors OR THIS CASE MAY BE DISMISSED! <u>Important Notes:</u> (1) This meeting is <u>NOT</u> held at the court and (2) Debtor must provide a photo ID (e.g., driver's license; federal, state, student or military ID; U.S. passport or resident alien card). Debtor must also provide proof of reported social security number (e.g., social security card; medical insurance card; pay stub; W–2 form; IRS form 1099; or Social Security Admin. report). Origina photo IDs and other documents are required. Creditors are welcome to attend, but are not required to do so The meeting may be continued and concluded at a later date without further notice.</i>
There does not appear to be any property available to the trustee to pay creditors. YOU THEREFORE SHOULD NOT FILE A PROOF OF CLAIM AT THIS TIME. If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim and the deadline for filing your proof of claim, and providing you with a partially completed proof of claim form. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts The debtor is seeking a discharge of most debts, which may include your debt. A discharge means you may never try to collect the debt from the debtor. If you believe the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint — or a motion if you assert that the discharge should be denied under §727(a)(8) or (a)(9) — in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property The debtor is permitted by law to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive that objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Court Clerk's Office (Document Filing, and Copies) Any PAPER document that you file in this bankruptcy case must be filed at: U.S. Bankruptcy Court Phone: 503–326–1500 Office Hours: 9:00AM–4:30PM 1001 SW 5th Ave #700 Portland, OR 97204 (Important Note: The Meeting of Creditors is NOT held at this address!) You may inspect all filed documents, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. A deputy clerk will make copies of paper documents for 50¢ a page (e.g., Schedules average \$10). If the document is available as an electronic image, then you may make copies for 10¢ per page using a public access terminal at either court office. Written requests for copies or court documents must include a self addressed and stamped 9" x 12" envelope, a \$26 search fee and the appropriate copy fee.
Internet Access, Information and Legal Advice Court, and most case information, may also be accessed via the court's website at www.orb.uscourts.gov. For account numbers, etc. contact the debtor's attorney. Contact your OWN attorney with other questions and to protect your rights. The clerk's office staff is forbidden by law from giving legal advice!
Creditor with a Foreign Address Consult a lawyer familiar with United States bankruptcy law if you have questions about your rights in this case.
Refer to Other Side for Important Deadlines and Notices